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# **REMARKS**

The Applicant thanks the Examiner for indicating that claim 57 is objected to as being dependent upon a rejected base claim but would be allowable if rewritten in independent form to include all of the limitations of the base claim and any intervening claim(s). In accordance with this indication, the Applicant has appropriately rewritten claim 57 as new independent claim 84 to include all of the limitations of the base claim and this new claim 84 is now believed to be allowable. As new claims 85-88 all depend directly from allowable claim 84, these dependent claims are believed to be allowable as well.

Claims 58-60 are rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for the reasons noted in the official action. The rejected claims are accordingly amended, by the above claim amendments, and the presently pending claims are now believed to particularly point out and distinctly claim the subject matter regarded as the invention, thereby overcoming all of the raised § 112, second paragraph, rejections. The entered claim amendments are directed solely at overcoming the raised indefiniteness rejection(s) and are not directed at distinguishing the present invention from the art of record in this case.

Claims 56, 58, 59, 64, 66 and 71 are rejected, under 35 U.S.C. § 103(a), as being unpatentable over Thorp et al. '745 in view of Cosentino '745. The Applicant acknowledges and respectfully traverses the raised obviousness rejection in view of the following remarks.

Thorp et al. '745 discloses a polymer-electrode having a substrate conductive working surface and a polymer layer on the working surface. Further, Thorp et al. '745 discloses a method of detecting and quantitating a nucleic acid.

Cosentino '745 discloses an improved electrode comprising a mixture of a metal and a metal salt incorporated into the metal matrix.

The Applicant respectfully submits that neither Thorp et al. '745 nor Cosentino '745 in any way teach, suggest or disclose a method of producing a modified conductive surface by applying a nucleic acid oligomer hybridized with a complimentary nucleic acid oligomer strand

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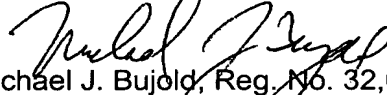
to a conductive surface. The nucleic acid oligomer hybridized with a complimentary nucleic acid oligomer strand forming a double strand hybrid.

The Applicant respectfully submits that the combination of Thorp et al. '745 with Cosentino '745 still fails to teach, suggest or disclose the above distinguishing features of the presently claimed invention. As such, all of the raised rejections should be withdrawn at this time in view of the above amendments and remarks.

In view of the foregoing, it is respectfully submitted that this application is now placed in a condition for allowance. Action to that end, in the form of an early Notice of Allowance, is courteously solicited by the Applicant at this time.

In the event that there are any fee deficiencies or additional fees are payable, please charge the same or credit any overpayment to our Deposit Account (Account No. 04-0213).

Respectfully submitted,



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